

# **SCHEDULE**

# **A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

# **SCHEDULE B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# **SCHEDULE C**

**SCHEDULE C**

**LEGAL DESCRIPTION**

Starr County, Texas

Tract: RGV-RGC-6005-1

Owner: Americo Eloy Garcia, Jr., *et al.*

Acres: 3.306

Legal Description

**Being** a 3.306 acre (144,013 square feet) parcel of land, more or less, being out of the Augustine de la Garza Survey, Abstract No. 83, Porción 73, Starr County, Texas, being out of Share 8-A, and being out of a called 18.036 acre tract conveyed to Americo Eloy Garcia, Jr. by Special Warranty Deed recorded in Instrument No. 2020-355101, Official Records of Starr County, Texas, said parcel of land being more particularly described by metes and bounds as follows;

**Commencing** at a found 1" iron pipe at a southeasterly exterior corner of the 18.036 acre tract, the northeast corner of a called 0.83 acre tract conveyed to Juan Indalecio Garcia by Warranty Deed recorded in Instrument No. 2018-344233, Official Records of Starr County, Texas, and a westerly corner of the remainder of a called 61.610 acre tract conveyed to Texas National Bank by Foreclosure Sale Deed recorded in Volume 1252, Page 616, Official Records of Starr County, Texas, said point having the coordinates of N=16657495.400, E=854563.974, said point bears S 23°13'54" W, a distance of 2620.60' from United States Army Corps of Engineers Control Point No. SS11-2019;

**Thence:** N 80°50'52" W (N 80°45'41" W, Record), with the south line of the 18.036 acre tract and the north line of the 0.83 acre tract, passing at 187.47' the northwest corner of the 0.83 acre tract and the northeast corner of a called 20.911 acre tract conveyed to Americo Eloy Garcia by Report of Commissioners-Cause No. 4909 recorded in Volume 441, Page 599, Deed Records of Starr County, Texas (Tract No. 1), continuing for a total distance of 409.55' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-6005-1-1=6011-5" for the **Point of Beginning** and southeast corner of Tract RGV-RGC-6005-1, said point being in the south line of the 18.036 acre tract and the north line of the 20.911 acre tract, said point having the coordinates of N=16657560.542, E=854159.635;

**Thence:** N 80°50'52" W (N 80°45'41" W, Record), with the south line of the 18.036 acre tract and the north line of the 20.911 acre tract, for a distance of 219.53' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-6005-1-2=6011-4" for the southwest corner of Tract RGV-RGC-6005-1, said point being in the south line of the 18.036 acre tract and the north line of the 20.911 acre tract;

**Thence:** N 15°11'46" W, departing the north line of the 20.911 acre tract, over and across the 18.036 acre tract, for a distance of 720.98' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-6005-1-3=6009-5" for the northwest corner of Tract RGV-RGC-6005-1, said point being in the north line of the 18.036 acre tract and the south line of a called 22.18 acre tract conveyed to Rio Water

**SCHEDULE C (Cont.)**

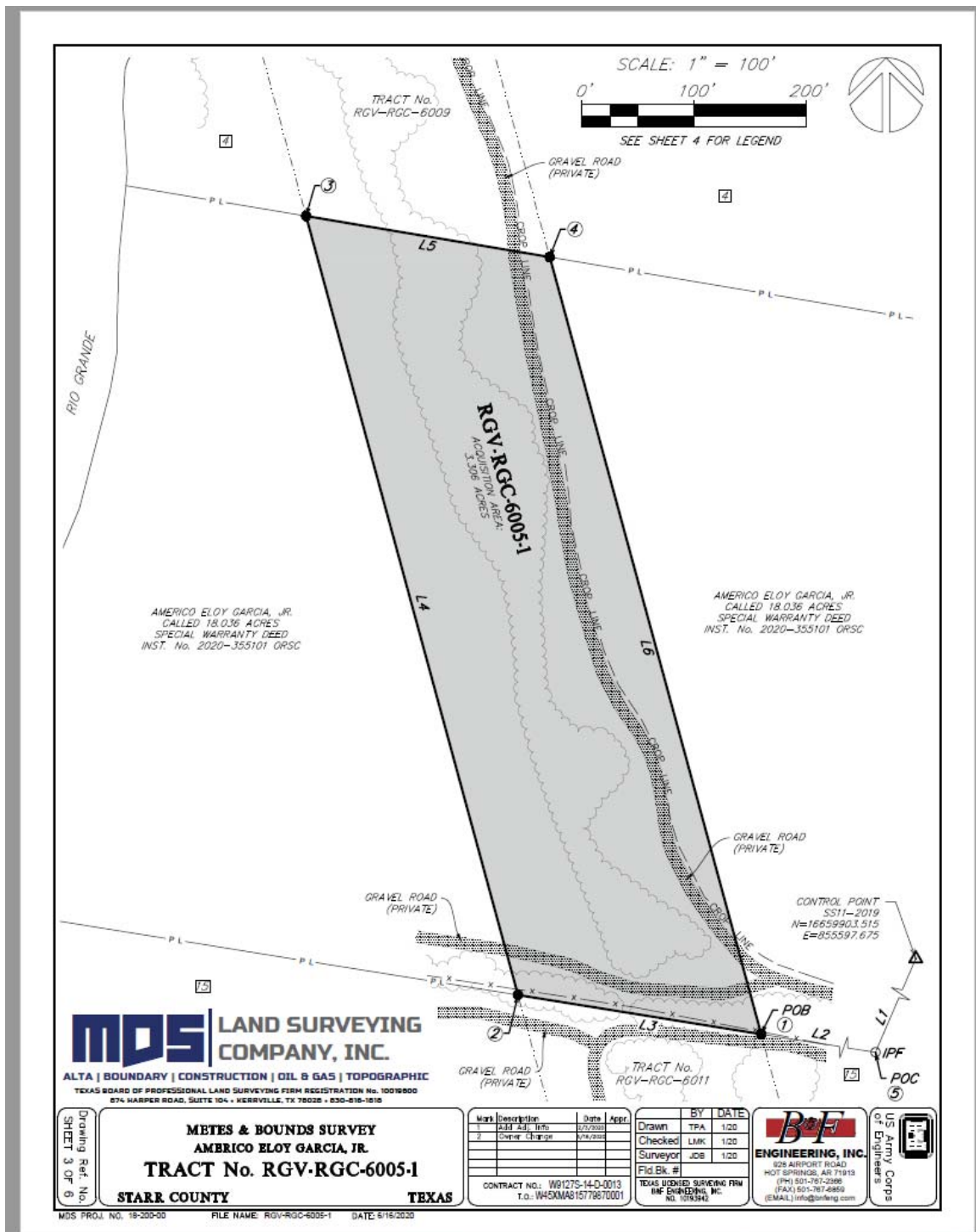
Supply Corporation by General Warranty Deed recorded in Volume 1219, Page 305, Official Records of Starr County, Texas;

**Thence:** S 80°24'43" E (S 80°24'53" E, Record), with the north line of the 18.036 acre tract and the south line of the 22.18 acre tract, for a distance of 220.29' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-6005-1-4=6009-4" for the northeast corner of Tract RGV-RGC-6005-1, said point being in the north line of the 18.036 acre tract and the south line of the 22.18 acre tract;

**Thence:** S 15°11'46" E, departing the south line of the 22.18 acre tract, over and across the 18.036 acre tract, for a distance of 719.14' to the **Point of Beginning**.

# **SCHEDULE D**





**SCHEDULE D (Cont.)****MAP or PLAT**

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	S 23°13'54" W	2620.60'	N/A	N/A
L2	N 80°50'52" W	409.55'	N 80°45'41" W	N/A
L3	N 80°50'52" W	219.53'	N 80°45'41" W	N/A
L4	N 15°11'46" W	720.98'	N/A	N/A
L5	S 80°24'43" E	220.29'	S 80°24'53" E	N/A
L6	S 15°11'46" E	719.14'	N/A	N/A

COORDINATE TABLE

MONUMENT No.	NORTHING	EASTING	MONUMENT NAME
1	16657560.542	854159.635	RGV-RGC-6005-1-1=6011-5
2	16657595.459	853942.905	RGV-RGC-6005-1-2=6011-4
3	16658291.233	853753.919	RGV-RGC-6005-1-3=6009-5
4	16658254.541	853971.132	RGV-RGC-6005-1-4=6009-4
5	16657495.400	854563.974	POC RGV-RGC-6005-1

**NOTES:**

1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM REFERENCED TO NAD83(2011), TX SOUTH ZONE (4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 08/20/2019.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.

**LEGEND**

●	5/8" REBAR W/ "MDS" CAP SET	—————	ACQUISITION BOUNDARY
○	FOUND MONUMENT	-----	ADJOINING ACQUISITION BOUNDARY
△	CONTROL POINT	~~~~~	BRUSH/VEGETATION
600	600 NAIL FOUND	— P L —	PROPERTY LINE
CS	COTTON PICKER SPINDLE	— x — x — x —	WIRE FENCE
DRSC	DEED RECORDS OF STARR COUNTY		
IPF	1" IRON PIPE FOUND		
IRF	1/2" IRON ROD FOUND		
ORSC	OFFICIAL RECORDS OF STARR COUNTY		
PG	PAGE		
POB	POINT OF BEGINNING		
POC	POINT OF COMMENCING		
VOL	VOLUME		

**MDS** LAND SURVEYING  
COMPANY, INC.

ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019800  
874 HARPER ROAD, SUITE 104, KERRVILLE, TX 78025 • 830-816-1816

**METES & BOUNDS SURVEY**  
**AMERICO ELOY GARCIA, JR.**  
**TRACT No. RGV-RGC-6005-1**  
**STARR COUNTY TEXAS**

Work Description	Date	Appr.
1 Add Adj. Info	8/20/2019	
2 Owner Change	8/20/2019	

BY	DATE
Drawn	TPA 1/20
Checked	LMK 1/20
Surveyor	JOB 1/20
Fid Bk. #	
TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 1016340	

**B&F**  
**ENGINEERING, INC.**  
928 AIRPORT ROAD  
HOT SPRINGS, AR 71913  
(PH) 501-767-2986  
(FAX) 501-767-4859  
(EMAIL) info@b-feng.com

US Army Corps  
of Engineers

Drawing Ref. No.  
SHEET 4 OF 8

MDS PROJ. NO. 18-200-00

FILE NAME: RGV-RGC-6005-1

DATE: 8/16/2020

**SCHEDULE D (Cont.)****MAP or PLAT**

<p><b>1</b></p> <p>AMERICO ELOY GARCIA, JR. CALLED 18.036 ACRES SPECIAL WARRANTY DEED INST. No. 2020-355101 ORSC REMAINING AREA: 5.096 ACRES</p>	<p><b>2</b></p> <p>AMERICO ELOY GARCIA, JR. CALLED 18.036 ACRES SPECIAL WARRANTY DEED INST. No. 2020-355101 ORSC REMAINING AREA: 9.732 ACRES</p>	<p><b>3</b></p> <p>TEXAS NATIONAL BANK REMAINDER OF CALLED 61.610 ACRES FORECLOSURE SALE DEED VOL. 1292, PG. 616 ORSC</p>
<p><b>4</b></p> <p>RIO WATER SUPPLY CORPORATION CALLED 22.18 ACRES (21.92 ACRES NET) GENERAL WARRANTY DEED VOL. 1219, PG. 305 ORSC</p>	<p><b>5</b></p> <p>ANDRES GARCIA CALLED 1.830 ACRES DEED OF GIFT VOL. 869, PG. 547 ORSC (SHARE 9)</p>	<p><b>6</b></p> <p>SANTA CRUZ PROPERTIES, LTD. REMAINDER OF CALLED 107.17 ACRES GENERAL WARRANTY DEED VOL. 1275, PG. 81 ORSC</p>
<p><b>7</b></p> <p>MARIA SOLEDAD GARCIA &amp; SALVADOR GARCIA, III CALLED 5.00 ACRES DEED OF GIFT VOL. 1007, PG. 644 ORSC (FOURTH TRACT: SHARE 4-A)</p>	<p><b>8</b></p> <p>COSME AYALA CALLED 1.63 ACRES PARTITION DEED VOL. 171, PG. 36 DRSC (SHARE 4)</p>	<p><b>9</b></p> <p>BLANCA RODRIGUEZ BALTAZAR CALLED 50'x125' LOT QUITCLAIM DEED VOL. 1325, PG. 810 ORSC</p>
<p><b>10</b></p> <p>AMERICO ELOY GARCIA, ROQUELO GARCIA &amp; SALVADOR GARCIA, JR. CALLED 26.52 ACRES WARRANTY DEED VOL. 572, PG. 840 ORSC  MARIA SOLEDAD GARCIA &amp; SALVADOR GARCIA, III DEED OF GIFT VOL. 1007, PG. 644 ORSC (FIFTH TRACT: SHARE 2-A)</p>	<p><b>11</b></p> <p>MARIA SOLEDAD GARCIA &amp; SALVADOR GARCIA, III REMAINDER OF CALLED 6.18 ACRES DEED OF GIFT VOL. 1007, PG. 644 ORSC (SECOND TRACT: SHARE 3)</p>	<p><b>12</b></p> <p>PEDRO C. OLIVAREZ &amp; EUGENIA OLIVAREZ DE OLIVAREZ CALLED 7.61 ACRES PARTITION DEED VOL. 171, PG. 36 DRSC (SHARE 2)</p>
<p><b>13</b></p> <p>FLORENCIA G. GARCIA &amp; SALVADOR GARCIA, JR. CALLED 5.03 ACRES DEED OF GIFT VOL. 741, PG. 630 ORSC (TRACT 2, SHARE 7)</p>	<p><b>14</b></p> <p>JUAN INDALECIO GARCIA CALLED 0.83 ACRE WARRANTY DEED INST. No. 2018-344233 ORSC</p>	<p><b>15</b></p> <p>AMERICO ELOY GARCIA CALLED 20.911 ACRES REPORT OF COMMISSIONERS CAUSE NO. 4909 VOL. 441, PG. 599 DRSC (TRACT No. 1)</p>
<p><b>16</b></p> <p>GABINO RODRIGUEZ, ET AL CALLED 2.82 ACRES PARTITION DEED VOL. 171, PG. 36 DRSC (SHARE 10)</p>	<p><b>17</b></p> <p>RIO GRANDE CITY INDEPENDENT SCHOOL DISTRICT CALLED 0.82 ACRES PARTITION DEED VOL. 171, PG. 36 DRSC (SHARE 11)</p>	<p><b>18</b></p> <p>FLORENCIA G. GARCIA REMAINDER OF CALLED 16.317 ACRES WARRANTY DEED W/ MINERAL RESERVATION VOL. 601, PG. 817 ORSC</p>
		<p><b>19</b></p> <p>JUAN GARCIA CALLED 2.26 ACRES SPECIAL WARRANTY DEED VOL. 1050, PG. 137 DRSC (TRACT 1)</p>

**MDS** LAND SURVEYING  
COMPANY, INC.

ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019800  
874 HARPER ROAD, SUITE 104 • KERRVILLE, TX 76026 • 830-818-1818

Drawing Ref. No.  
SHEET 5 OF 6

**METES & BOUNDS SURVEY**  
**AMERICO ELOY GARCIA, JR.**  
**TRACT No. RGV-RGC-6005-1**

**STARR COUNTY**

**TEXAS**

Mark	Description	Date	Appr.
1	BY J. L. H. H. H.	09/15/2020	
2	Owner Change	09/15/2020	

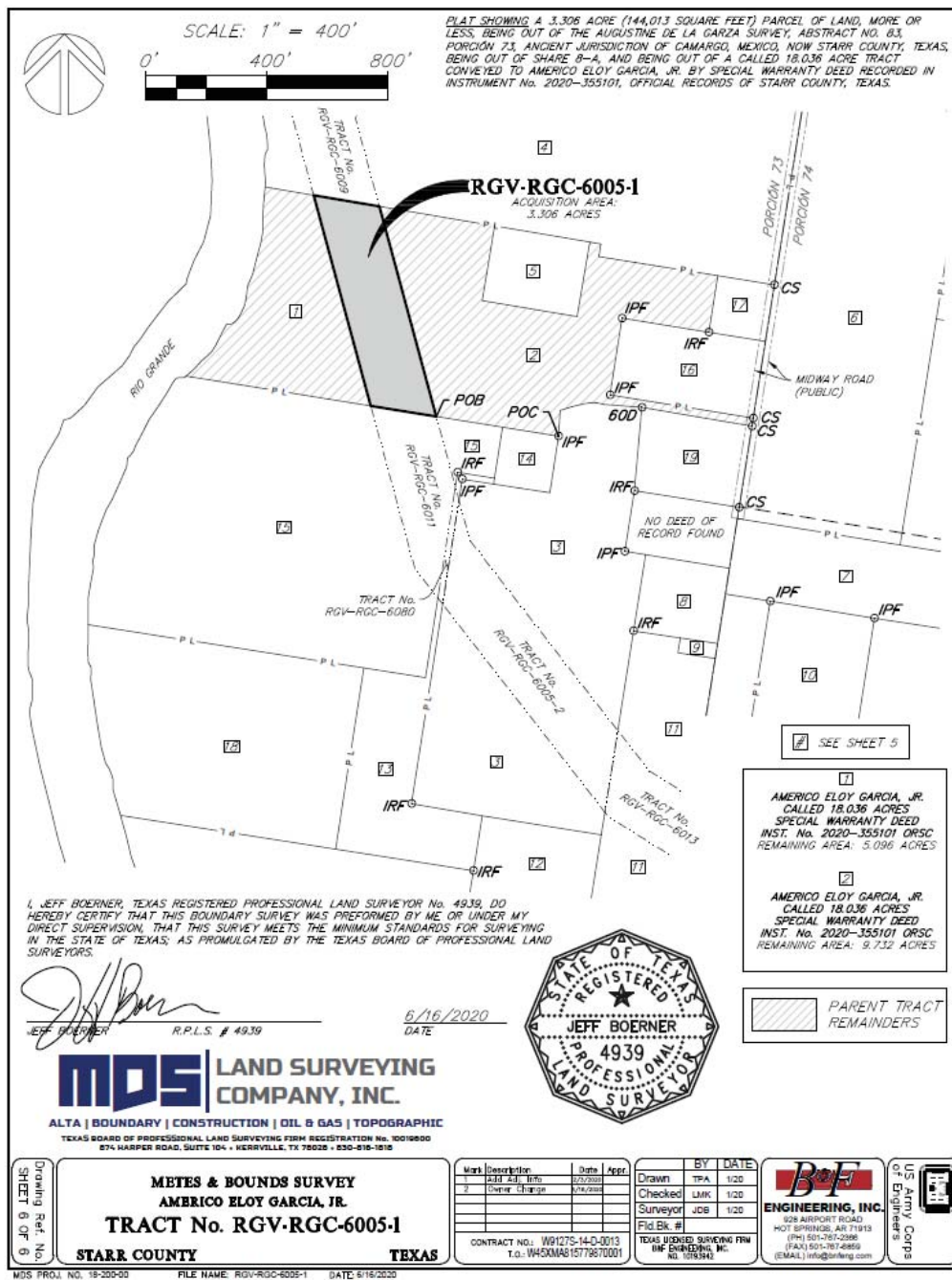
CONTRACT NO.: W91275-14-D-0013  
T.O.: VH5XMAS15779670001

BY	DATE
Drawn	TPA 1/20
Checked	LMK 1/20
Surveyor	JDE 1/20
Fid. Bk. #	

TEXAS JUDICIAL SURVEYING FIRM  
H&F ENGINEERING, INC.  
NO. 10793942

**H&F**  
**ENGINEERING, INC.**  
828 AIRPORT ROAD  
HOT SPRINGS, AR 71913  
(PH) 501-767-2598  
(FAX) 501-767-6859  
(EMAIL) info@hfeing.com

US Army Corps  
of Engineers

**SCHEDULE D (Cont.)****MAP or PLAT**

Tract: RGV-RGC-6005-1

Owner: Americo Eloy Garcia, Jr., et al.

Acres: 3.306

# **SCHEDULE E**

**SCHEDULE E**

**ESTATE TAKEN**

Starr County, Texas

Tract: RGV-RGC-6005-1

Owner: Americo Eloy Garcia, Jr., *et al.*

Acres: 3.306

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of land identified in Special Warranty Deed recorded in the Official Records, Starr County, Texas, on 15 April 2020, as document # 2020-355101 and Foreclosure Sale Deed recorded 6 October 2009 as document # 2009-286273, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.



**SCHEDULE E (Cont.)**



# **SCHEDULE F**



**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the land being taken is TWENTY EIGHT THOUSAND, FOUR HUNDRED AND NINETY THREE DOLLARS AND NO/100 (\$28,493.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# **SCHEDULE G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
<b>Americo Eloy Garcia, Jr.</b> [REDACTED] San Antonio, Texas [REDACTED]	<b>RGV-RGC-6005-1</b> Special Warranty Deed, Document #2020-355101; recorded April 15, 2020, Official Records of Starr County, Texas
<b>Texas National Bank</b> c/o Joe Quiroga, President 4126 Crosspoint Blvd. Edinburg, TX 78539	<b>RGV-RGC-6005-1</b> Foreclosure Sale Deed, Document #2009-286273, Vol. 1256, Pg. 616, recorded October 6, 2009, Official Records of Starr County, Texas
<b>Ameida Salinas</b> Starr County Tax Assessor-Collector 100 N FM 3167, Room 201 Rio Grande City, TX 78582	<b>RGV-RGC-6005-1</b> Property Id. 2313 Geographic Id. 00083-07300-00310-000000